



ADMINISTRATIVE OFFICE
OF THE COURTS

EDUCATION DIVISION/CENTER FOR
JUDICIAL EDUCATION AND RESEARCH

SUMMER 2004

CALIFORNIA
CONTINUING JUDICIAL
STUDIES PROGRAM

AUGUST 2–6, 2004 ♦ SAN DIEGO

APPLICATION DEADLINE: JUNE 25, 2004

AN INVITATION FROM THE CHIEF JUSTICE



June 4, 2004

Dear Colleagues:

I am very pleased to invite you to attend the Center for Judicial Education and Research's Summer Continuing Judicial Studies Program, August 2–6, 2004.

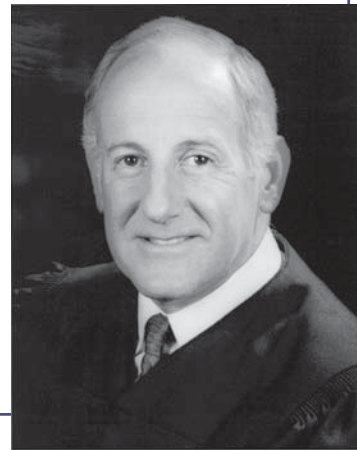
This year's judicial planning committee, chaired by Judge Gary S. Austin, has designed an excellent curriculum. The summer program features advanced courses on family, juvenile, civil, and criminal law as well as courses about mediation, the death penalty, domestic violence, law and literature, and the California Environmental Quality Act.

Many of your experienced colleagues will serve as faculty members for this unique and innovative program. Education remains a high priority for the Judicial Council, and I hope you will find the time in your busy schedules to attend.

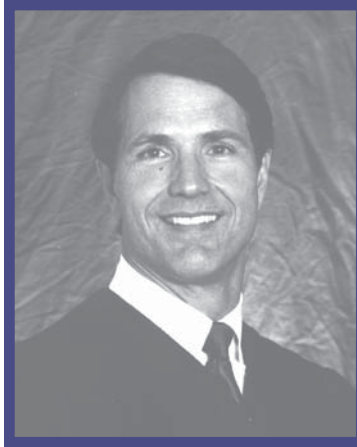
With best wishes and warm regards,

A handwritten signature in blue ink, which appears to read "Ronald M. George".

RONALD M. GEORGE
Chief Justice of California and
Chair of the Judicial Council



CONTINUING JUDICIAL STUDIES PROGRAM PLANNING COMMITTEE 2003–2004



HON. GARY S. AUSTIN, CHAIR
Superior Court of Fresno County

HON. ALICE C. HILL, VICE-CHAIR
Superior Court of Los Angeles County

HON. RICHARD L. FRUIN, JR.
Superior Court of Los Angeles County

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Superior Court of Los Angeles County

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Superior Court of Orange County

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HON. JOHN SHEPARD WILEY, JR.
Superior Court of Los Angeles County

CJER Governing Committee Liaison

HON. FUMIKO HACHIYA WASSERMAN
Superior Court of Los Angeles County

ANNOUNCING THE SUMMER 2004

CALIFORNIA CONTINUING JUDICIAL STUDIES PROGRAM

AUGUST 2–6, 2004 • HYATT REGENCY ISLANDIA, SAN DIEGO

The California Continuing Judicial Studies Program (CJSP) is an intensive one-week program that was created to meet the special educational needs of experienced judges. It is a state-funded program that is conducted four times per year. To date, more than 7,530 judges have attended.

The original planning committee, chaired by the late Justice Allen E. Broussard, was determined not only to present advanced subjects for experienced judges but also to employ innovative methods of adult education. Beginning with the premise that experienced professionals learn best from each other, the planners replaced the traditional lecture-and-panel format with a design based on continual interaction between faculty and participants. This highly interactive process is enriched with input from social and behavioral scientists and other experts.

Small-group seminars, limited to 18 to 20 participants, are the key to the CJSP course format. The seminars are led by a team of judges—each an expert in his or her field and each trained by a specialist in adult education to use a variety of participant-centered teaching methods. The seminar approach provides a forum for judges to share their professional experiences.

PROGRAM OBJECTIVES

CJSP fulfills three major educational needs of experienced judges—which are to:

- Prepare themselves for new assignments;
- Make periodic, comprehensive reviews of both substantive and procedural law; and
- Reexamine their judicial philosophies, attitudes, and work habits; renew their judicial perspectives; and revitalize their dedication to public service.

CJSP also serves to:

- Explore new methods of handling court proceedings;
- Promote uniformity in judicial practice and procedure in California courts; and
- Enhance the judicial skills needed to cope with the increasing complexity of legal issues and court proceedings.

LIST OF COURSES

(All courses will end by Friday at 12 noon, unless otherwise indicated.)

California Environmental Quality Act Overview (Thursday)

Current Issues and Trends in CEQA Litigation (Friday)

Death Penalty Trials (Thursday–Friday)

Fundamentals of Collaborative Courts (Monday–Wednesday noon)

Immigration Issues in Domestic Violence Cases (Thursday)

Literature and Judicial Reasoning (Monday–Wednesday noon)

Mediation: A Skills-Based Program (Monday–Friday)

Selected Civil Law Topics (Monday–Wednesday)*

Selected Criminal Law Topics (Monday–Wednesday)*

Selected Family Law Topics (Monday–Wednesday noon)

Selected Issues in Sexual Assault Cases (Wednesday)

Selected Juvenile Law Topics (Wednesday noon–Friday)

*Includes a general course on Wednesday.

GENERAL COURSES (WEDNESDAY)

Selected Issues in Sexual Assault Cases

Health on the Bench; Law and Film (two subjects)

SPECIAL PRESENTATION

The Summer CJSP will feature a special presentation at the Tuesday, August 3, luncheon in the form of remarks by two of the state's leading securities litigators: Joseph Cotchett, Jr., of Cotchett, Pitre Simon & McCarthy, and Boris Feldman of Wilson, Sonsini, Goodrich & Rosati. They will speak on "Living With Martha Stewart (and Friends): Securities Litigation, From Boardroom to Courtroom."

ELIGIBILITY

All California trial and appellate court judges and commissioners who sit on a regular court assignment and retired judges who sit on court assignment and have received prior approval from the Administrative Office of the Courts (AOC) Assigned Judges Program Unit are invited to apply for admission to the courses offered in this program. To be admitted, a judicial officer applicant should have served at least two years on the bench and must have attended the B. E. Witkin Judicial College of California. These requirements are waived for appellate court judges. Judges who have not attended CJSP within the last two years will be given priority.

In selecting participants, the CJSP Judicial Planning Committee will consider the following criteria:

- Date of receipt of application;
- Years of judicial service;
- Assumption of a new judicial assignment;
- Course preferences;
- Attendance at prior CJSP sessions; and
- Geographical balance.

ATTENDANCE AND COURSE SELECTION

In general, the course sessions are from 8:30 a.m. to 12:00 noon and from 1:00 to 4:45 p.m. Courses will end by 12:00 noon on Friday. A participant who enrolls in a course must attend all sessions of that course and may not attend selected portions of another course that runs concurrently.

Judges and commissioners who apply for the "Selected Civil Law Topics" or "Selected Criminal Law Topics" course must choose one of the general courses on Wednesday. The general courses are (1) "Selected Issues in Sexual Assault Cases" and (2) a pair of half-day courses—"Health on the Bench" and "Law and Film." "Selected Issues in Sexual Assault Cases" will also be open for enrollment to participants not enrolled in "Selected Criminal Law Topics" or "Selected Civil Law Topics."

The California Environmental Quality Act (CEQA) courses on Thursday and Friday are open to research attorneys who work on CEQA cases.

FACILITIES AND COSTS

The Summer 2004 CJSP will be conducted at the Hyatt Regency Islandia, San Diego, which provides an excellent atmosphere for this intense educational experience. Classrooms and restrooms are wheelchair accessible.

The Hyatt Regency Islandia offers a special group rate of \$110 per night for single and double occupancy. You will receive complete lodging and meal information upon acceptance of your application to attend the program. If state funds are available, the AOC will pay the hotel directly for the sleeping room (up to \$110) and group meal costs for justices, judges, commissioners, referees, court employees, and assigned judges who attend the entire course in which they are enrolled.

Further information regarding these new procedures, including certain conditions and exceptions, will be included in material that will accompany your confirmation of acceptance.

No charge is made for tuition or program materials. Course materials will be available only to program participants, and participants will receive only the materials for the courses in which they enroll. Some courses may require readings in books not published by CJER, which participants may be required to purchase.

TRAVEL EXPENSES

It will be the responsibility of all attendees to cover the costs of travel (such as airfare, mileage, parking, and shuttles). Trial court judges/commissioners and research attorneys will need to seek reimbursement from their courts. Travel costs for justices and research attorneys from appellate courts and retired judges in the Assigned Judges Program will be reimbursed by the AOC (travel claims will be provided at the program).

HOW TO APPLY

You must apply online. Please complete and submit the online application form by **June 25, 2004**. Participants are accepted on a first-come, first-served basis, and some courses fill up before the application deadline. Late applications will be considered only if space is available. You will receive an e-mail confirming that your application has been received, but you will not be notified of your acceptance in your preferred course or courses until the week following the application deadline. Applications may not be submitted by telephone for this program.

At the end of the CJSP application, you will have the opportunity to register for either the Criminal Law Regional Institute—Southern California or the Civil Law Institute. These institutes are being held at the same location as CJSP.

Also, please notify CJER immediately if you find that you are unable to attend the program after submitting an application. Frequently there is a waiting list of judges who can attend the program if given adequate notice.

You should also immediately secure approval to attend the program from your presiding judge or supervisor. Attendance at CJSP is not deemed vacation time if it accords with the court's attendance plan and is approved in advance by the presiding judge. To apply online, go to the CJSP registration Web page at www.courtinfo.ca.gov/cjer.

FUTURE PROGRAMS

FALL EDUCATION WEEK

October 25–29, 2004, Burlingame

- Fall Continuing Judicial Studies Program (October 25–29)
- Criminal Law Regional Institute—Northern California (October 25–27)

WINTER CJSP

January 24–28, 2005, Northern California

Details of these programs (i.e., course offerings and locations) will be posted on the Web site as they become available.

For further information, call CJER at 415-865-7745.

MCLE CREDIT

This activity has been approved for Minimum Continuing Legal Education credit in the amount of the number of hours set forth by course below, of which a certain number of hours will apply to elimination of bias credit.

CJER certifies that this activity conforms to the standards for approved education activities prescribed by the rules and regulations of the State Bar of California governing Minimum Continuing Legal Education.

COURSE	APPROVED NUMBER OF HOURS	NUMBER OF HOURS APPLIED TO SPECIAL CATEGORY
California Environmental Quality Act Overview	6.75	
Current Issues and Trends in CEQA Litigation	3.25	
Death Penalty Trials	10.00	
Fundamentals of Collaborative Courts	16.75	
Health on the Bench; Law and Film	6.75	
Immigration Issues in Domestic Violence Cases	6.75	
Literature and Judicial Reasoning	16.75	
Mediation: A Skills-Based Program	30.25	
Selected Civil Law Topics	20.25	
Selected Criminal Law Topics	20.25	
Selected Family Law Topics	16.75	
Selected Issues in Sexual Assault Cases	6.75	
Selected Juvenile Law Topics	13.5	

SCHEDULE OF COURSES

MONDAY AUGUST 2 AMPM	TUESDAY AUGUST 3 AMPM	WEDNESDAY AUGUST 4 AMPM	THURSDAY AUGUST 5 AMPM	FRIDAY AUGUST 6 AMPM
Selected Civil Law Topics (Includes general course on Wednesday)		General Course Selected Issues in Sexual Assault Cases or Health on the Bench; Law and Film	California Environmental Quality Act Overview	Current Issues and Trends in CEQA Litigation
Selected Criminal Law Topics (Includes general course on Wednesday)			Death Penalty Trials	
Fundamentals of Collaborative Courts				
Literature and Judicial Reasoning				
Mediation: A Skills-Based Program				
Selected Family Law Topics			Selected Juvenile Law Topics	
		Selected Issues in Sexual Assault Cases	Immigration Issues in Domestic Violence Cases	

Morning sessions meet from 8:30 a.m. to 12 noon, and afternoon sessions meet from 1:00 to 4:45 p.m. Friday's classes end at 12 noon.

The faculty schedules 15-minute breaks in the morning and afternoon sessions.

COURSE DESCRIPTIONS

CALIFORNIA ENVIRONMENTAL QUALITY ACT OVERVIEW

Thursday

PURPOSE OF COURSE

This course will provide judges and research attorneys with a procedural and substantive framework from which to analyze and efficiently dispose of the issues presented by a challenge under the California Environmental Quality Act to the approval of a public or private project. The course will consider the statutory provisions that define the procedures and standards for judicial review, methods by which to ease the task of reviewing the administrative record, an overview of the requirements established by CEQA, and the guidelines concerning the preparation and contents of environmental impact reports (EIRs) and other environmental review documents. The course will also address recent cases and issues related to land use.

TOPICS

- Standard of review
- Record and additional evidence
- Statute of limitations
- Standing
- Exhaustion of administrative remedies
- Remedies
- Overview of the CEQA statute and guidelines
- Lead agency and responsible agencies
- What is a “project,” and which projects are subject to CEQA?
- Exemptions: statutory and categorical
- Initial studies and negative declarations
- Environmental impact reports—what must they contain? Preparation of an EIR
- Project approval and preparation of findings
- Tiering, program EIRs, subsequent EIRs, and supplements to EIRs

AT THIS COURSE YOU WILL LEARN TO

- Determine the proper evidentiary standard and scope of review
- Rule on motions and objections that commonly arise in CEQA cases
- Deal efficiently with an unwieldy administrative record
- Distinguish between the types of environmental review documents
- Determine when a negative declaration may be used
- Determine when an EIR is required and what it must contain
- Decide what to do if you find that the environmental review of a project was inadequate

FACULTY

Hon. Ronald B. Robie, Court of Appeal, Third Appellate District
Ms. Susan L. Brandt-Hawley, Attorney, Glen Ellen
Mr. Whit Manley, Attorney, Sacramento
Ms. Margaret Sohagi, Attorney, Los Angeles

CURRENT ISSUES AND TRENDS IN CEQA LITIGATION

Friday

PURPOSE OF COURSE

This advanced course will build on the California Environmental Quality Act Overview course. The presentation will focus on recent published appellate decisions and will also summarize recent legislation relevant to the CEQA process. The panel will identify and discuss emerging cutting-edge CEQA issues and trends, including judicial remedies.

FACULTY

Hon. Ronald B. Robie, Court of Appeal, Third Appellate District
Ms. Susan L. Brandt-Hawley, Attorney, Glen Ellen
Mr. Whit Manley, Attorney, Sacramento
Ms. Margaret Sohagi, Attorney, Los Angeles

DEATH PENALTY TRIALS

Thursday–Friday

PURPOSE OF COURSE

Death penalty trials make extraordinary demands on judges. They require knowledge of a highly specialized body of law and demand the use of specialized procedures. Because of the high stakes involved, the attorneys in these trials tend to be more thorough and aggressive, greatly increasing the quantity of motion work before trial. The emotional context of the trials also increases the temperature in the courtroom and makes demands on the court’s management skills. This intensive course will help judges become familiar with and keep up to date in this complex area. It will focus on the issues that are most difficult, most specialized, and most likely to present a risk of mistrial or reversal.

TOPICS

- Pretrial motions
 - Pro per defendants
 - Penal Code section 190.3 motions
 - Typical “boilerplate” motions

- Trial issues
 - Jury selection
 - Special circumstances issues
 - Jury instructions
 - Penalty phase procedures
 - Victim impact evidence
 - Hung jury
- Postverdict procedures
 - Automatic motion to modify
 - Judgment of death and commitment
- Certification of record on appeal

AT THIS COURSE YOU WILL LEARN TO

- Rule on the usual pretrial motions
- Select the jury and rule on challenges
- Avoid common causes of mistrial
- Instruct the jury properly
- Rule on postverdict motions
- Render a judgment of death

FACULTY

Hon. Ronald Coen, Superior Court of Los Angeles County

Hon. Michael Wellington, Superior Court of San Diego County

FUNDAMENTALS OF COLLABORATIVE COURTS

Monday–Wednesday noon

PURPOSE OF COURSE

Chief Justice Ronald M. George said in his State of the Judiciary address that collaborative courts “have been remarkably successful at turning around lives.” Collaborative courts not only can lead to improved outcomes for those who appear in court, they also can provide a worthwhile and personally satisfying assignment for a judicial officer who wants to try a new approach and be active in starting new court programs in the community. Participants in this course will become part of this highly effective movement and learn to develop, fund, and sustain a collaborative court in their counties. They will acquire tools to change the behavior of defendants and others who appear in court.

This course is open to all judicial officers.

TOPICS

- Basics of addiction and mental health
- Fundamentals of the collaborative model and how the model must be modified
- Description of existing collaborative courts—similarities and differences
- Successfully motivating behavior change
- Working with large populations that require special approaches

- Putting a collaborative court together: what works, what does not work, goals and barriers, collaboration among agencies, funding, and so on
- New, cutting-edge models: DUI and domestic violence
- Movement of the collaborative model toward a system rather than stand-alone “boutique” court

AT THIS COURSE YOU WILL LEARN TO

- Approach addiction and mental illness with greater understanding
- Develop a successful model for a collaborative court
- Determine when and how to use sanctions and rewards
- Facilitate collaboration among agencies without violating “ex parte” communication prohibitions
- Develop successful funding strategies and locate funding sources for collaborative courts
- Overcome objections to creating specialty courts
- Build a team and determine the appropriate role of the judge

FACULTY

Hon. Peggy Fulton Hora, Superior Court of Alameda County

Hon. Stephen V. Manley, Superior Court of Santa Clara County

Hon. Darrell W. Stevens, Superior Court of Butte County
Other faculty to be named

HEALTH ON THE BENCH

Wednesday morning

PURPOSE OF COURSE

This course will focus on the personal and systemic stress experienced by judges. Judge James Hoolihan will explore the physiology and neurology of stress, provide interactive exercises for increased self-awareness, and suggest coping strategies and practices to increase judges’ ability to deal with the stressors they encounter every day.

FACULTY

Hon. James Hoolihan, District Court, Foley, Minnesota

IMMIGRATION ISSUES IN DOMESTIC VIOLENCE CASES

Thursday

PURPOSE OF COURSE

Issues associated with immigration increasingly affect domestic violence cases pending in family and criminal law departments. Immigration issues may have an impact on the nature of the information presented to the court, the safety of the parties, and judicial decision making.

This one-day course will provide a broad overview of the elements of immigration law that may affect decisions

in these cases and an understanding of the challenges facing victims of domestic violence as a result of the immigration concerns and immigration status of the parties. The course is open to all judicial officers but may be of special interest to those in criminal and family law assignments.

TOPICS

- Immigration concerns of immigrant victims of domestic violence
- Myths about immigration status
- Basic elements of immigration law relevant to adjudication of domestic violence cases
- Consequences of adult criminal convictions
- Special immigrant juvenile status
- Protective orders and their impact on the safety of immigrant victims
- Child custody issues and immigrant victims

AT THIS COURSE YOU WILL LEARN TO

- Recognize the special concerns of immigrant victims of domestic violence that affect access to the justice system and the fair adjudication of domestic violence cases
- Dispel myths about immigration and its effect on domestic violence cases
- Identify ways in which victims' immigration concerns are sometimes used to perpetuate abuse
- Identify aspects of immigration law that may affect decision making in domestic violence cases
- Evaluate the potential impact of the immigration status of the parties on the factual information presented to the court in domestic violence cases
- Develop effective measures to enhance safety for immigrant victims of domestic violence

FACULTY

Hon. Susan M. Breall, Superior Court of San Francisco County
Ms. Sally Kinoshita, Attorney, Immigrant Legal Resource Center
Ms. Kavitha Sreeharsha, Staff Attorney, Asian Pacific Islander Legal Outreach
Other faculty to be named

LAW AND FILM

Wednesday afternoon

PURPOSE OF COURSE

Using film clips and excerpts from Supreme Court cases, Justice Eileen C. Moore will share the results of her research regarding treatment of African Americans by Hollywood and the U.S. Supreme Court in the 20th century.

FACULTY

Hon. Eileen C. Moore, Court of Appeal, Fourth Appellate District

LITERATURE AND JUDICIAL REASONING

Monday–Wednesday noon

PURPOSE OF COURSE

Oliver Wendell Holmes, Jr., assumed a necessary connection between law and literature. Does such a connection exist today? What do we mean by the “art of judging”? This course will explore judicial reasoning and obligation through the reading of great literature. It will examine reasoning processes and schools of jurisprudential thought as they relate to specified classes of cases, and moral principles as they relate to judicial decision making.

The course essentially asks: In hard cases, what is a judge to do? Based on a former course entitled Jurisprudence II, this course will use literary works, forms, themes, constructs, and devices to raise questions central to the decision-making process. The first session, led by the judge-instructors, will review legal, philosophical, and literary principles. Subsequent sessions will be led by teams of student judges who will present a literary work and conduct the class.

This course does not require Jurisprudence I as a prerequisite, and judicial officers who have taken Jurisprudence II may attend (a substantial amount of reading material will be new).

TOPICS

- The law as story (a literary approach to the law)
- The chain novel as a theory of adjudication
- The use of moral principles in judicial decision making
- Positive law and the “interior narrative” in dispute resolution
- Point of view in the law—listening to the whole story
- Marketing analysis as it relates to the notions of privacy, individuality, and exchange
- Social control and the law
- “Correct” interpretation
- The role of closure in the legal process
- Moral obligation and the “inside narrative” in judicial decision making

AT THIS COURSE YOU WILL LEARN TO

- Distinguish between an agreement based on rights and one based on interests
- Identify the judicial obligation in hard cases
- Determine the extent of judicial freedom to act within rules and the extent to which a decision may be logically entailed by precedent
- Determine whether the law is determinate or indeterminate—can there be more than one “right” answer to a question?

FACULTY

Hon. Elliot Daum, Superior Court of Sonoma County
Hon. Conrad Lee Rushing, Court of Appeal, Sixth Appellate District
Hon. Elaine M. Rushing, Superior Court of Sonoma County

MEDIATION: A SKILLS-BASED PROGRAM

Monday–Friday

PURPOSE OF COURSE

The recent surge in the popularity of mediation as a dispute resolution technique makes it imperative that judicial officers understand where mediation fits in the dispute resolution continuum and how to apply the technique to cases pending in their courts.

This is a practical course designed to teach judicial officers to mediate litigated disputes. It is premised on a nationally recognized course offered at the Straus Institute for Dispute Resolution at Pepperdine University School of Law. Professor Peter Robinson designed this course specifically for judges who wish to mediate cases pending in their courts. The faculty is made up of nationally recognized scholars, professional neutrals, and judges who have successfully applied mediation techniques to pending cases.

Judges bring a special credibility to facilitated negotiations and are nearly always highly effective mediators. But it is critical that judges understand how the process works and how to build and apply strategies that will resolve nearly every case they mediate.

Participants will have the opportunity to interact with the faculty and other students in practical, skills-building exercises. Space is limited to 35 participants.

TOPICS

- Definition of mediation
- The continuum of dispute resolution processes
- Mediation styles
- Mediation as facilitated negotiation
- Mediation as a mixed-motive exchange
- Distributive bargaining
- Facilitating distributive bargaining
- Integrative bargaining
- Creativity in integrative bargaining
- Facilitating integrative bargaining
- Five stages of mediation
- Convening mediation
- Opening statements
- Structuring negotiations
- Facilitating communication
- Breaking through impasse
- Closing and resolution
- Managing emotions in mediation
- Managing attorneys in mediation
- Maintaining fairness and neutrality
- Conflicts and ethical issues

FACULTY

Hon. Earle Jeffrey Burke, Team Leader, Superior Court of San Luis Obispo County

Hon. Anthony J. Mohr, Superior Court of Los Angeles County

Mr. Eric Lindauer, Clark, Lindauer, McClinton, Todd & Kreuger, Salem, Oregon

Mr. Randy Lowry, Straus Institute for Dispute

Resolution, Pepperdine University School of Law

Ms. Denise Madigan, Pepperdine University School of Law

Mr. Peter Robinson, Assistant Professor of Law, Pepperdine University School of Law

SELECTED CIVIL LAW TOPICS

Monday–Wednesday

PURPOSE OF COURSE

This seminar is offered to judicial officers who have substantial experience in civil law. Its purpose is to give experienced judges an opportunity to learn from one another, in a small-group environment, about emerging issues in the civil law assignment. The seminar will be conducted by experienced appellate and trial court judges and guest faculty recognized for their expertise in specialized areas. Enrollment will be limited to 18 judicial officers.

Please note that this seminar is designed for judges with three or more years in their current civil assignment. For those who do not have this experience, CJER is offering the Civil Law Institute later in the week at the same location. For more information on this program, please refer to the listing on the CJER programs Web page.

TOPICS

- Anti-SLAPP Motions (Code Civ. Proc., § 425.16 et seq.)
- Employment law (wage and hour)
- Securities fraud
- Insurance coverage

AT THIS COURSE YOU WILL LEARN TO

- Apply Code of Civil Procedure sections 425.16 and 425.17
- Analyze and manage wage and hour cases
- Analyze and manage cases involving securities fraud
- Manage the new developments and trends in insurance coverage cases

FACULTY

Hon. H. Walter Croskey, Court of Appeal, Second Appellate District

Hon. William Foster Highberger, Superior Court of Los Angeles County

Hon. Maria P. Rivera, Court of Appeal, First Appellate District

Hon. Brian R. Van Camp, Superior Court of Sacramento County

Mr. Joseph W. Cotchett, Jr., Attorney, Sacramento

Mr. Boris Feldman, Attorney, Palo Alto

Mr. Rex Heeseman, Attorney, Los Angeles

Mr. Robert R. Ronne, Attorney, El Segundo

SELECTED CRIMINAL LAW TOPICS

Monday–Wednesday

PURPOSE OF COURSE

This course provides an opportunity to examine selected criminal law problems that occur in complex, high-profile felony cases and that are recurring causes of reversal on appeal. The course will refresh existing knowledge and build on that knowledge to enhance the trial judge's ability to rule fairly, effectively, and accurately on complex issues.

The course is open to judges with three or more years in a felony jury trial assignment who are presiding or will soon preside over complex criminal trials.

TOPICS

- Juror misconduct
- Scientific evidence
- Expert witnesses
- Sentencing
- Attorney misconduct and contempt proceedings
- Handling the media and media-related issues
- Personal and courtroom security

AT THIS COURSE YOU WILL LEARN TO

- Identify and respond effectively to juror misconduct
- Rule correctly on scientific and expert witness evidentiary issues
- Resolve complex sentencing issues
- Weigh your options for responding to attorney misconduct
- Conduct a contempt proceeding
- Accommodate the media without compromising a trial
- Enhance your safety and the safety of courtroom personnel

FACULTY

Hon. Ronald Coen, Team Leader, Superior Court of Los Angeles County

Hon. Dennis Cornell, Court of Appeal, Fresno

Hon. Alice Hill, Superior Court of Los Angeles County

Hon. Amy D. Hogue, Superior Court of Los Angeles County

Hon. Gregg L. Prickett, Superior Court of Orange County

Hon. John "Jack" Ryan (Ret.), Superior Court of Orange County

Deputy Johnny Castro, Los Angeles County Sheriff's Department

Deputy Paul Coblentz, Los Angeles County Sheriff's Department

Other faculty to be named

SELECTED FAMILY LAW TOPICS

Monday–Wednesday noon

PURPOSE OF COURSE

This course is designed for experienced family law judicial officers. It is a midcareer opportunity to enhance decision-making skills, revitalize the interest of family law judicial officers, and heighten expertise in selected areas of substantive law. Completion of the CJSP Family Law Overview course is a prerequisite to taking this course.

TOPICS

- An overview of the family in today's society
- Recognizing and coping with stress in the family court assignment
- Bench tools for the family law judicial officer
- Difficult child custody cases
- Family violence and its implications
- Characterizing compensation benefits
- Spousal support—deciding expectations
- Social engineering from the bench
- Community property tracing issues
- Creativity and child support
- Selected developments in family law

AT THIS COURSE YOU WILL LEARN TO

- Appreciate the role of the family law judicial officer
- Identify and understand the stresses facing family law judicial officers
- Analyze difficult child custody cases
- Deal with unique child support situations and explore alternative solutions to difficult support problems
- Approach decision making in family law when no clear guidance from cases or statutes exists
- Approach family violence issues as they bear on children, custody issues, child development, and mediation
- Understand and apply selected developments in family law

FACULTY

Hon. Frances A. Kearney, Team Leader, Superior Court of Placer County

Other faculty to be named

SELECTED ISSUES IN SEXUAL ASSAULT CASES

Wednesday

PURPOSE OF COURSE

Sexual assault cases require the judge to be familiar with a unique body of substantive and procedural law that is not necessarily applicable in other criminal cases. The judge must also be aware of and understand the dynamics of sexual assault cases, the needs of the victim and specially mandated accommodations, and myths and misconceptions about sexual assault victims and offenders.

This one-day course builds on and complements the introductory course Decision Making in Sexual Assault Cases. It provides trial judges with an opportunity to examine additional selected complex problems that occur in sexual assault cases.

The course is open to all judges but will be of special interest to those in a criminal law trial assignment. Completion of the introductory course is not a prerequisite to enrollment in this course.

TOPICS

- Impact of DNA on sexual assault cases
- Neurobiology of trauma
- Offender characteristics
- Managing the media in high-profile sexual assault cases
- Sentencing
- Postsentencing for sexually violent predators and mentally disordered sex offenders

AT THIS COURSE YOU WILL LEARN TO

- Apply scientific information appropriately in sexual assault cases
- Dispel stereotypes related to the offender
- Manage the media in high-profile cases
- Resolve sentencing issues
- Handle postsentencing duties effectively

FACULTY

Hon. Harry Mark Elias, Team Leader, Superior Court of San Diego County

Hon. George W. "Woody" Clarke, Superior Court of San Diego County

Hon. J. Richard Couzens, Superior Court of Placer County

Hon. William D. Mudd, Superior Court of San Diego County

Hon. John M. Thompson, Superior Court of San Diego County

Mr. David D'Amora, Center Director, Special Services: The Center for the Treatment of Problem Sexual Behavior and Director, Continuous Quality Improvement, The Connection, Inc.

SELECTED JUVENILE LAW TOPICS

Wednesday 1:00 p.m.–Friday

PURPOSE OF COURSE

The juvenile assignment demands the application of extraordinary problem-solving and decision-making skills to unique and complex problems. This symposium, designed for experienced juvenile law judicial officers, will address some of the most challenging issues presented in the juvenile court forum and explore strategies for dealing with them.

TOPICS

- Cultural considerations in juvenile court cases, and the effect of cultural differences on decision making
- Alcohol and other drugs—the role they play in cases and in the decision-making process
- The effect of personality on decision making
- Recognizing and coping with stress in a juvenile court assignment
- Dealing with colleagues and agencies involved in juvenile programs and administration
- Avoiding and dealing with error

AT THIS COURSE YOU WILL LEARN TO

- Address and evaluate the impacts of cultural differences on your decisions
- Identify your own individual decision-making techniques and processes and explore ways to enhance them
- Develop problem-solving techniques, particularly related to the juvenile court assignment
- Deal more effectively with the individuals and agencies that are involved in and affected by the court and your decisions

FACULTY

To be named



ABOUT CJER

The mission of the California Center for Judicial Education and Research, as the Education Division of the Administrative Office of the Courts, is to enhance the quality of justice by providing a comprehensive program of education services that reinforce the unique roles of judicial officers and court staff, enhance decision-making skills, encourage uniformity in judicial procedure, and promote fairness, access, and equal justice for all.

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